IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.581 OF 2005

Queens View Co-operative Housing Society Limited & anr. .. .. Petitioners
v/s.
Municipal Corporation of Greater Mumbai & ors. .. .. Respondents

Mr.A.Y.Bookwala with Mr.Prashant Chavan i/by M/s.Madekar & Co. for petitioners.

Ms.A.K.Savla for res.Nos.1 to 4.

Mr.S.I.Memon for res.No.5.

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATED : 28TH FEBRUARY 2005

P.C. :

1. Heard Mr.Bookwala in support of this petition. Mr.Memon appears for respondent No.5. He informs that respondent No.5 has filed a suit bearing No.5923 of 2004 in the City Civil Court at Mumbai and wherein it has taken an injunction against the Municipal Corporation from dis-continuing the Neon lights. One Mr.Sajjan Jindal is a party to that suit and he resides in a building adjoining to the building of the 1st petitioner-Society which is equally affected by

these Neon lights.

2. Mr.Memon appearing for respondent No.5 states that the petitioners may intervene in that suit. Mr.Bookwala states that surely the petitioners will intervene in that suit and, therefore, seeks to withdraw this petition. Petition is allowed to be withdrawn with liberty to join in that suit.

3. We record a further statement of Mr.Memon that he will not object to the petitioners joining in that suit.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)